

JEFFERSON COUNTY COMMISSIONERS  
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TOM LYTHGOE, CHAIR

KEN WEBER

DAVE KIRSCH

**PROCEEDING OF THE BOARD OF COMMISSIONERS  
COUNTY OF JEFFERSON, STATE OF MONTANA  
October 20, 2009**

**Present:** Commissioners Lythgoe, Weber and Kirsch; Harold Stepper, County Planner; Tom Harrington, JLDC; Barbara Miller, National Affordable Housing Network; Jason Crawford, Kadrmas, Lee & Jackson; Gerry & Marty Keogh, Eddie Smith

**REPORTS**

Commissioner Lythgoe noted the receipt of the Treasurer's cash report for September.

**CORRESPONDENCE**

Commissioner Weber read an e-mail from Barbara Miller, National Affordable Housing Network, regarding early re-payment of one loan and partial payment of another that NAHN has with the County against the property in Whitehall. He spoke with Barbara regarding the possibility of NAHN paying off the \$30,000 loan and \$30,000 towards the second note. The metal mine revolving loan funds that stay in the project, allows them to continue to leverage those dollars towards getting some CDBG money and stimulus money that is that is new money. It wasn't considered when they did the "shovel ready" question and asked us to put our projects forward. The problem with this, if they consider it a problem, is that our note would take second position to the SHOP note. Commissioner Lythgoe asked what the SHOP loan is. Commissioner Weber explained that it is a loan program where they get to use the money to buy the land and in ten years if all of the conditions are still on-going, they are forgiven the loan by the lender.

Commissioner Weber moved to leave the \$45,000 balance in the NAHN program as second position to the SHOP loan and that we accept the \$60,000 early payoff. Commissioner Kirsch seconded. The motion carried.

Harold stated that this can't be done strictly through the Commission minutes. There are two documents that will need to be signed and filed with the Clerk and Recorder.

Commissioner Lythgoe noted the receipt of a letter from the Montana Race to the Sky regarding the 25<sup>th</sup> anniversary of the race. They are requesting the County's permission for use of the Sheepshead Road and rail bed for the race. They also requested that the county plow out a parking area at the corrals at Woodville. Commissioner Weber stated that we should probably give them a large event application. Also, he isn't sure if the county can grant permission for use of the rail bed. Commissioner Lythgoe stated that there is some time to research the situation. He will give this to Melissa to research.

## **CALENDAR REVIEW**

10/20 Fire Council - Jefferson City - 6:00  
10/21 JLDC - 2:00  
10/22 Survey Committee - 9:00  
Zoning Commission - 3:00  
Community Development Board - Whitehall - 7:00

## **COMMISSION REPORTS**

### **SOLID WASTE BOARD**

Commissioner Weber reported that on Tuesday night he attended the Solid Waste board meeting. The board voted to act as hiring committee for the supervisor position. Applications will be reviewed by a committee of the board and the full board will be conducting interviews. At the meeting they also reviewed expense and revenue reports. The board will be able to track revenue, which site it comes from, and the source – tires, construction waste, etc.

### **LEADERSHIP MONTANA**

Commissioner Weber reported that on Thursday, Friday and Saturday in Whitefish for Leadership Montana training. He stated that it is a really good conference that teaches different leadership styles.

### **LIBRARY BOARD**

Commissioner Weber reported has been working with the library. One issue is getting the roof replacement completed on the Boulder library.

### **PROPOSED VETERAN'S HOME**

Commissioner Kirsch reported that on Tuesday the full committee of the veteran's home siting committee met. It was an all day meeting and he attended until noon. Committee seemed impressed with Boulder – the Main Street renovations, and our proximity to Helena and the Veteran's Hospital.

### **ROCKY MOUNTAIN DEVELOPMENT COUNCIL**

Commissioner Kirsch reported that on the 15<sup>th</sup> he met with RMDC. They discussed the Head Start program and it doesn't look like Boulder will be getting it this year.

## ELKHORN CEMETERY

Commissioner Kirsch stated that Jefferson County finally has the deed for the Elkhorn Cemetery.

## SUBDIVISION REVIEW

### PRELIMINARY PLAT REVIEW – MONTAIN HORIZONS MAJOR SUBDIVISION – WHITEHALL

Harold Stepper, County Planner, presented his staff report on this 24 lot major subdivision located just outside of Whitehall. The parcel contains 11.11 acres, proposed to be divided into 24 lots ranging in size from 7,586.61 square feet to 48,054.84 square feet. It is the intention of the developer that the subdivision be annexed into the Town of Whitehall after completion. Because of this, the subdivision also needs to meet Whitehall's planning regulations. Parkland dedication is required, and 1.232 acres have been set aside as common area for the use of the homeowners. Harold stated that roads and alleys will be constructed to Town of Whitehall standards.

Harold noted that he has a letter that he just received from the Whitehall planning board, which he then read into the record. The Whitehall planning board feels that it is necessary for the plan to include paved, on-street parking. Because he just received this letter, it was not included in the staff report. Commissioner Lythgoe asked if this is something that Harold would have included in the staff report. Harold stated that he spoke with the engineers and they discussed having a parking pad on each of the lots. The option put forth by the Whitehall planning board would add considerably to the cost of the project.

Commissioner Lythgoe asked if this is a real concern of the Whitehall planning board, if they are jumping the gun to approve this preliminary plat. Harold said that he doesn't think so, but this is something that could be incorporated into the conditions of approval. Commissioner Weber asked if the Whitehall streets and alleys requirements contain this already, or if this is something new. Harold stated that he thinks this is something new; he didn't see anything in the regulations regarding on-street parking.

Commissioner Lythgoe asked if the paving issue was discussed at the public meeting. Harold stated that it was discussed, but nothing was decided. A number of approaches were discussed. Commissioner Weber stated that another thing that worries him is the fact that one of the ways that this project is kept affordable is that the lots are small. If you take space away from the lot size to add the parking pad, will they still be able to keep the set-backs and will there still be enough room for the building site. Harold stated that they would have to shift the road to the outer lots, which are larger.

Harold recommended that preliminary plat approval be granted. Commissioner Lythgoe stated that he is somewhat familiar with the area, and asked if there is a combination of gravel and paved roads in the area. Commissioner Weber stated that they come from paved and go into gravel for the most part. The city streets are, for the most part, paved.

Commissioner Lythgoe asked that as this is going to be annexed into the Town of Whitehall, if should they be concerned with the issues raised by the Whitehall planning board. Commissioner Weber said that he feels that this is something that they need to take into account. He asked if there are stamped, engineered road designs ready. The engineer stated that they have some preliminary designs, but they are not finalized at this time. Commissioner Weber stated that part of the County's requirements is that the stamped, engineered road designs have been submitted before final plat approval. Harold stated that the reason they didn't stamp them is because they were working with the Town of Whitehall on the design of the roads. Commissioner Weber asked how tight we are within deadline. Harold said that it is pretty tight.

Commissioner Weber stated that this is nothing against this project, but the requirement that they have for a stamped, engineered plat at preliminary plat has come back to haunt them when it wasn't followed.

Commissioner Weber move not to grant preliminary plat approval. Commissioner Kirsch seconded. Commissioner Lythgoe called for discussion. Commissioner Weber stated that he does support this project, but we need to have the stamped engineered design in hand. Commissioner Lythgoe stated that the correspondence from the Whitehall planning board needs to be taken into consideration as well. The motion carried.

#### **ITEMS FOR COMMISSIONERS ACTION OR REVIEW**

##### **RESOLUTION 33-2009 RESOLUTION TO FIX TAX LEVIES**

Commissioner Lythgoe read the resolution as follows:

#### **RESOLUTION 33-2009**

#### **ADOPT FINAL BUDGET**

#### **AND**

#### **FIX TAX LEVIES FOR JEFFERSON COUNTY**

#### **FISCAL YEAR 2009-2010**

**WHEREAS**, the Board of County Commissioners of Jefferson County, Montana, has compiled and reviewed the proposed budgets for fiscal year 2009-2010 as required by law; and,

**WHEREAS**, the value of a mill has been determined as \$26,746 county-wide and a value of \$24,901 outside the city limits, with other values as stated and certified by the Department of Revenue of the State of Montana,

**NOW, THEREFORE, BE IT RESOLVED** that the final budgets for fiscal year 2009-2010, which budget document is on file in the Clerk and Recorder's office, is approved and adopted and is, by this reference, incorporated herein; and

**BE IT FURTHER RESOLVED** that the Board does hereby fix the following levies to

fund said budgets:

WILLOW CREEK FIRE	36.00
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CITY LEVIES

TOWN OF WHITEHALL	108.05
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COUNTY LEVIES

ELEMENTARY RETIREMENT	25.3
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SPECIAL ASSESSMENT DISTRICTS

DESTINY HILLS MAINTENANCE DISTRICT	\$300.00
BIG DIPPER RD IMPROVEMENT DISTRICT	251.38
BIG DIPPER RD MAINTENANCE DISTRICT	76.00
SADDLE MOUNTAIN IMPROVEMENT DIST	407.68
SADDLE MOUNTAIN MAINTENANCE DIST	173.00
SOUTH HILLS IMPROVEMENT DISTRICT	272.41
SOUTH HILLS MAINTENANCE DISTRICT	91.00

**DATED** this 20<sup>th</sup> day of October, 2009, effective for Fiscal Year 2009-2010.

**ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**TOMAS E. LYTHGOE, CHAIR**

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**KEN WEBER, COMMISSIONER**

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**DAVE KIRSCH, COMMISSIONER**

Commissioner Lythgoe moved to adopt the resolution. Commissioner Kirsch seconded. The motion carried.

## **OPPORTUNITY FOR PUBLIC COMMENT**

Tom Harrington, JLDC, stated that he would like to comment on the Mountain Horizons subdivision. He knows that the Commission is very supportive of the affordable housing project. It has been a long process with a lot of public meetings and it has been a real testimony to the public process. This eleventh-hour change that has been suggested by the planning board is good, forward-thinking. He suggested to the Whitehall planning board that it be incorporated into their subdivision regulations and not just arbitrarily enforced. A lot of work and discussion has gone into this development. Tom stated that he also recommended if they are considering enforcing anything to this subdivision, that it be added to their standards. Commissioner Weber said that for them, the stamped, engineered design has been something that needs to be applied across the board. It is a requirement.

Commissioner Lythgoe stated that the Commission wouldn't object to amending the following week's agenda if there is a time crunch.

Commissioner Weber moved to adjourn. Commissioner Kirsch seconded. The motion carried.

## **MEETING ADJOURNED**

### **ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**TOMAS E. LYTHGOE, CHAIR**

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**KEN WEBER, COMMISSIONER**

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